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Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JEANNIE SUTHERLAND,
Defendant

CASE NO.: 2:10-CR-356-LDG-(VCF)

MOTION TO WITHDRAW AS COUNSEL OF RECORD

COMES NOW, MELINDA WEAVER, ESQ., of the law firm of Patti, Sgro, Lewis & Roger and moves this Honorable Court for an Order allowing her to withdraw as counsel of record for Defendant Jeannie Sutherland.

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This Motion is made and based upon the following Points and Authorities and the Affidavit of Counsel, contained herein.

DATED this 9th day of April, 2014.

PATTI, SGRO, LEWIS & ROGER

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Attorneys for Defendant

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2 **NOTICE OF MOTION**
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4 TO ALL INTERESTED PARTIES AND THEIR COUNSEL OF RECORD:
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6 YOU AND EACH OF YOU PLEASE TAKE NOTICE that counsel for Defendant Jeannie
7 Sutherland will bring the foregoing Motion to Withdraw as Counsel of Record before the above-
8 entitled Court on the on the pk day of pk 2014, at pk or as soon thereafter as the
9 parties may be heard.

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11 DATED this 9th day of April, 2014.
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13 PATTI, SGRO, LEWIS & ROGER
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16 MELINDA WEAVER, ESQ.
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22 Facsimile No.: (702) 386-2737
23 Attorneys for Defendant
24

POINTS AND AUTHORITIES

Supreme Court Rule 46, of the Supreme Court of the State of Nevada, "Withdrawal or change of attorney" states, in pertinent part, that an attorney may be allowed to withdraw at any time before judgment or final determination as follows:

- 1 . Upon consent of the attorney, approved by the client.
 2. Upon the order of the court or judge thereof on the application of the attorney or the client.

After judgment or final determination, an attorney may withdraw as attorney of record at any time upon the attorney's filing a withdrawal, with or without the client's consent.

LR IA 10-6 states, in part as follows:

- (e) Except for good cause shown, no withdrawal or substitution shall be approved if delay of discovery, the trial or any hearing in the case would result. Where delay would result, the papers seeking leave of Court for the withdrawal or substitution must request specific relief from the scheduled trial or hearing. If a trial setting has been made, an additional copy of the moving papers shall be provided to the Clerk for immediate delivery to the assigned district judge, bankruptcy judge or magistrate judge.

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1 In this case, the scope of the retainer agreement was to handle the matter through appeal to
2 the Ninth Circuit Court of Appeals. On March 4, 2014, Ms. Sutherland's conviction was
3 affirmed at the Ninth Circuit. The Mandate remanding the case back to District Court was entered
4 on March 27, 2014. It is respectfully requested that Melinda Weaver, Esq. be allowed to withdraw
5 as attorney of record at this time.
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7 DATED this 9th day of April, 2014.
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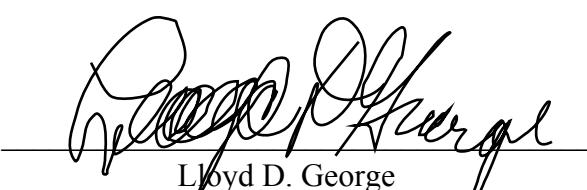
9 PATTI, SGRO, LEWIS & ROGER
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11

12 MELINDA WEAVER, ESQ.
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15 720 South 7th Street, 3rd Floor
16 Las Vegas, Nevada 89101
17 Telephone No.: (702) 385-9595
18 Facsimile No.: (702) 386-2737
19 Attorneys for Defendant
20

21 ORDER
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23 IT IS SO ORDERED.
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25 DATED this 13 day of May, 2014.
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Lloyd D. George
Sr. U.S. District Judge


1 **AFFIDAVIT OF COUNSEL**

2 STATE OF NEVADA)
3)
3 COUNTY OF CLARK)

4 MELINDA WEAVER, ESQ., being first duly sworn, deposes and says:

- 5 1. That I am the attorney of record for Defendant Jeannie Sutherland in this case and am
6 testifying based upon my personal knowledge.
- 7 2. That the scope of the retainer agreement was to handle the matter through appeal to the
8 Ninth Circuit Court of Appeals. On March 4, 2014, Ms. Sutherland's conviction was
9 affirmed at the Ninth Circuit. The Mandate remanding the case back to District Court
9 was entered on March 27, 2014.
- 10 3. That the last known address of Defendant named above and where all future pleadings
11 and correspondence may be served is:

12 Jeannie Sutherland
13 45123-048
14 RRM Phoenix
14 RESIDENTIAL REENTRY OFFICE
15 230 N FIRST AVE, SUITE 405
15 PHOENIX, AZ 85003

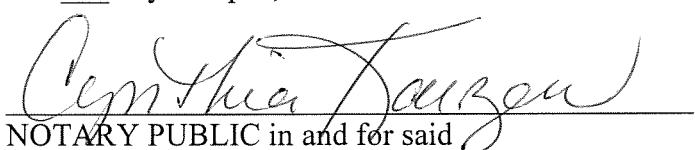
- 16 4. That a copy of this Motion will be served upon Plaintiff and Defendant in a manner
17 authorized by statute.

18 FURTHER YOUR AFFIANT SAYETH NAUGHT.

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21 MELINDA WEAVER, ESQ.

22 SUBSCRIBED AND SWORN to before me
23 this 9 day of April, 2014.

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25 NOTARY PUBLIC in and for said
26 County and State.

